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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10749314	12/31/2003	MCLANE, MICHAEL W.	McLane

EXAMINER

Helen Mei-Ping Chui

ART UNIT	PAPER
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1609 20070501

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Mr. McLane called on 04/26/2007 to inform the examiner that he will be sending a response to the non-final first action (dated on 01/31/2007) on Monday 04/30/2007. Mr. McLane also raised 2 questions that (i) the documents submitted with his US patent application (personal communication documents and fax) to support the date of his invention have been placed in the file but have not been considered by the examiner. (ii) Mr. McLane also claimed that he is the first one who invented the invention claimed in the U.S. Patent Application Publication Number 2002/0115648 which the examiner used to reject his patent application number 10749314. The examiner called back on 04/27/2007 to follow up the answers of Mr. McLane's questions after discussion with the examiner's Superior. The examiner answered:

- (i) the submitted documents have been reviewed during the first examination for the merits of patentability although the examiner did not consider the documents are relevant during the prosecution for patentability and made a mistake to indicate that the documents are not considered. Therefore, a copy of the revised and signed IDS (PTO-1449) will be sent to the applicant to acknowledge the submitted documents. The examiner will address this revision at the next office action for clarification.
- (ii) The examiner restated that the prior art applied for the claim rejections under 35 USC 102(b) for Mr. McLane's patent application number 10749314 is based on the U.S. Patent Application Publication published on 08/22/2002 which is more than one year prior to the instant application for patent in the United States. Please see 35 USC 102(b).

Interview Summary	Application No.	Applicant(s)	
	10/749,314	MCLANE, MICHAEL W.	
	Examiner Helen Mei-Ping Chui	Art Unit 1609	

All participants (applicant, applicant's representative, PTO personnel):

(1) Helen Mei-Ping Chui. (3) _____.

(2) Michael McLane. (4) _____.

Date of Interview: 27 April 2007.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: _____.

Claim(s) discussed: N/A.

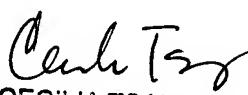
Identification of prior art discussed: US Patent Application Publication Number: US 2002/0115,648 on August 22, 2002.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 CECILIA TSANG
 SUPERVISOR - PATENT EXAMINER



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

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